

Lynch & Associates, P.C.
A PROFESSIONAL CORPORATION
425 G STREET, SUITE 420
ANCHORAGE, ALASKA 99501
(907) 276-3222
FAX: (907) 278-9498

Timothy M. Lynch
LYNCH & ASSOCIATES, P.C.
425 G Street, Suite 420
Anchorage, Alaska 99501
(907) 276-3222 *telephone*
(907) 278-9498 *facsimile*
tlynch@northlaw.com

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NORMA MALEK)
))
Plaintiff,)
))
v.)
))
BROWMAN DEVELOPMENT)
COMPANY, INC.)
))
Defendant.)
_____)

Case No. ____ -cv- ____ (____)

**NOTICE OF REMOVAL OF ACTION
IN ACCORDANCE WITH 28 U.S.C. § 1441 BASED ON DIVERSITY**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant, Browman Development Company, Inc., hereby removes to this court the state court action described in Paragraph 1 below.

1. On or about May 21, 2012, an action was commenced in the Superior in the Superior Court for the State of Alaska, Third Judicial District at Palmer entitled *Norma Malek v. Browman Development Company, Inc.* with the case number 3PA-12-1601 Civil.

2. Defendant Browman Development Company, Inc. first received a copy of the Summons and Complaint on or about May 25, 2012, when it was served via certified mail.

3. The complaint alleges that Defendant failed to maintain the landscaping on its land

and its parking lot in such a way as to guard against unreasonable risks.

4. The complaint seeks compensatory damages in a sum in excess of ONE HUNDRED THOUSAND and 00/100 DOLLARS (\$100,000.00) exclusive of interest and costs.

5. Plaintiff states in her complaint that she is a resident of the State of Alaska.

6. Browman Development Company, Inc. is a California corporation.

7. This is a civil action wherein the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs, and is between citizens of different states.

8. Complete diversity of citizenship exists between defendants and plaintiffs.

9. This court has original jurisdiction pursuant to 28 U.S.C. § 1332(a).

10. This action is one which may be removed to this court pursuant to the provisions of 28 U.S.C. § 1441(a)-(b).

11. Defendant who is a legal entity incorporated in and has its principal place of business in a state other than the State of Alaska, where this action was filed, and thus removal is proper under 28 U.S.C. § 1441(b).

12. Defendant has attached copies of the following State court documents which have been filed in this action:


- A. Complaint;
- B. Jury Demand by Norma Malek;
- C. Summons issued to Browman Development Company, Inc.;
- D. Entry of Appearance on behalf of Browman Development Company, Inc.; and
- E. Jury Demand by Browman Development Company, Inc.

Lynch & Associates, P.C.
A PROFESSIONAL CORPORATION
425 G STREET, SUITE 420
ANCHORAGE, ALASKA 99501
(907) 276-3222
FAX: (907) 278-9498

THEREFORE, Browman Development Company, Inc. hereby removes to this court the action filed in commenced in the Superior in the Superior Court for the State of Alaska, Third Judicial District at Palmer entitled *Norma Malek v. Browman Development Company, Inc.* with the case number 3PA-12-1601 Civil.


DATED at Anchorage, Alaska this 7TH day of June, 2012.

LYNCH & ASSOCIATES, P.C.
Attorneys for Defendant

By: 
Timothy M. Lynch
LYNCH & ASSOCIATES, P.C.
425 G Street, Suite 420
Anchorage, Alaska 99501
(907) 276-3222
(907) 278-9498
tlynch@northlaw.com
Alaska Bar No. 7111030

Certificate of Service

I hereby certify that on the 7th day of June, 2012, I caused a true and correct copy of the foregoing to be served to the following via:

 : U.S. Mail ___ : Facsimile ___ : Courier ___ : Electronic Mail

Thomas E. Williams
Attorney at Law
11940 Business Blvd., Ste. 100
Eagle River, AK 99577



Lynch & Associates, P.C.